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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **CS(OS) 2558/1997**

SMT. KISHAN DEVI AND ORS. ..... Plaintiffs

Through: Mr. Naresh Thanai and Ms. Khushboo Singh, Advocates.

versus

SUNIL MEHLAWAT AND ORS. ..... Defendants

Through: Mr. Nikhil Singhvi, Mr. Parth Aggarwal and Mr. Bilal Ikram, Advocates for D-3.
Mr. Gurmehar S. Sistani Advocate (Court Receiver).

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 20.05.2024

I.A. No.10372/2024 (for directions)

1. The present application has been moved by Mr. Gurmehar S. Sistani, Advocate, appointed as the Court Receiver by this Court *vide* order dated 3rd May, 2011. The Court had directed the Receiver to take all necessary actions for protection, preservation, management, maintenance, letting out and collection of rent of the suit property bearing no. A-52, Vasant Marg, Vasant Vihar, New Delhi-110052 and had handed over the keys of the suit property to the Receiver.

2. It is stated in the application that in the last week of April, 2024, the defendant no.2 forcibly entered the suit property and took possession of certain portions of the suit property. The present application was moved

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seeking necessary directions to the SHO, Vasant Vihar Police Station to render assistance to the Receiver to remove defendant no. 2 from the suit property.

3. Notice was issued in this application *via* order dated 7th May, 2024, wherein SHO, Vasant Vihar was asked to visit the suit property and file a Status Report.

4. Accordingly, the Status Report was filed by the SHO confirming the fact that the defendant no.2 is in possession of the front portion of the suit property.

5. *Vide* order dated 15th May, 2024, it was directed that the portion of the suit property in possession of the defendant no. 2 shall be restored to the Receiver.

6. The learned Court Receiver appears through video conferencing and submits that a copy of the order dated 15th May, 2024 was served on the defendant no.2 this morning, when the Court Receiver accompanied by the concerned SHO (PS, Vasant Vihar) visited the suit property. However, he submits that the defendant no.2 failed to comply with the said order and behaved in an aggressive and abusive manner with him.

7. Since the aforementioned order dated 15th May, 2024 was shown to the defendant no.2 only this morning, I am of the view that some time needs to be given to the defendant no.2 to comply with the directions contained in the aforesaid order.

8. Accordingly, list the matter on 29th May, 2024.

9. In the meanwhile, a copy of the order dated 15th May, 2024 and the order passed today shall be served on the defendant no.2 and his counsel by the parties.

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10. It is made clear that in the event the defendant no.2 does not handover possession of the suit property to the Court Receiver before the next date of hearing, this Court would be inclined to initiate contempt proceedings against the defendant no.2.

AMIT BANSAL, J

MAY 20, 2024
at

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